#### OMB No. 0651-0011

# INFORMATION DISCLOSURE CITATION (Us sev ral sheets if necessary)

Atty. Docket No.	7528.0003-01	Application No. 09/981,790
Applicants	Todd J. MÖRTIER et al.	
Filing Date	October 19, 2001	Group: 3738

	U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate	
BPE N	RE 34,021	8/1992	Mueller et al.	,			
3	4,192,293	3/1980	Asrican				
EB, 0 * 5003	4,261,342	4/1981	Aranguren Duo				
THATE S	4,372,293	2/1983	Vijil-Rosales				
TRAUS	4,409,974	10/1983	Freedland				
	4,536,893	8/1985	Parravicini				
	4,936,857	6/1990	Kulik				
	4,944,753	7/1990	Burgess et al.				
	4,960,424	10/1990	Grooters			-	
	4,997,431	3/1991	Isner et al.				
	5,106,386	4/1992	Isner et al.				
	5,131,905	7/1992	Grooters			•	
	5,169,381	12/1992	Snyders			0 B 7	
	5,192,314	3/1993	Daskalakis			EIVE	
	5,250,049	10/1993	Michael			ED 2002	
	5,284,488	2/1994	Sideris			ROOM	
	5,385,528	1/1995	Wilk		-		
	5,433,727	7/1995	Sideris				
	5,450,860	9/1995	O'Connor				
	5,452,733	9/1995	Sterman et al.				
	5,485,574	10/1995	Machold et al.				
	5,496,305	3/1996	Kittrell et al.				
	5,509,428	4/1996	Dunlop				
	5,533,958	7/1996	Wilk				
	5,571,215	11/1996	Sterman et al.				
20	5,584,803	12/1996	Stevens et al.				

## INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)

Atty. Docket No.	7528.0003-01	Application N	o. 09/981,790
Applicants	Todd J. MORTIER et al.		
Filing Date	October 19, 2001	Group:	3738

	· · ·			U.S. PATE	NT DOCUMENTS													
3	Examiner Initial*												Document Number	Date	Name	Clas	Sub Class	Filing Dat If Appropriat
A	PE	5	,593,424	1/1997	Northrup, III													
	E.	5	,682,906	11/1997	Sterman et al.													
FEB	0 1 5005	5	,702,343	12/1997	Alferness													
2.	3	5	,718,725	2/1998	Sterman et al.													
* 77	ADEN	5	,800,334	9/1998	Wilk													
		5	,800,528	9/1998	Lederman et al.													
		5	,814,097	9/1998	Sterman et al.													
		5	,894,005	12/1998	Garrison et al.		1	:										
		5	,855,614	1/1999	Stevens et al.			$\omega$ $\tau$ $\tau$										
		5	,957,977	9/1999	Melvin			00 EB CC										
	<b>y</b>	5	,984,857	11/1999	Buck et al.			MA 6										
9	2	6	,024,756	2/2000	Huebsch et al.													
						•		R 007										

		FOREIGN PA	TENT DOCUMENT	S	,	
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
gn	36 14 292 C1	11/1987	DE			
	42 34 127 A1	5/1994	DE			
	0 583 012	2/1994	EP			
	91/19465	12/1991	wo			
	95/06447	3/1995	WO			
	95/16476	6/1995	wo	TI		
	96/04852	2/1996	wo			
	96/40356	12/1996	wo			
4	97/24101	7/1997	wo			
90/	98/03213	1/1998	wo			

## INFORMATION DISCLOSURE CITATION (Use several sheets if nec ssary)

Atty. Docket No.	7528.0003-01	Application No	o. 09/981,790	
Applicants	Todd J. MORTIER et al.			
Filing Date	October 19, 2001	Group:	3738	

		FOREIGN PA	TENT DOCUMENT	·s		-: C
SIPE	Document Number	Date	Country	Class	Sub Class	
De 9	98/18393	5/1998	wo			H -6
FEB 0 1 5005	98/26738	6/1998	wo			/EI 20
	98/32382	7/1998	wo			800
TRADEM	99/13777	3/1999	wo		-	<u>.</u>
gr	99/44534	9/1999	wo			

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
مراح الما	92		Dickstein et al., "Heart Reduction Surgery: An Analysis of the Impact on Cardiac Function," <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 113, No. 6, June 1997, 9 pages.				
			McCarthy et al., "Early Results with Partial Left Ventriculectomy," From the Departments of Thoracic and Cardiovascular Surgery, Cardiology, and Transplant Center, Cleveland Clinic Foundation, Presented at the 77 <sup>th</sup> Annual Meeting of the American Association of Thoracic Surgeons, May 1997, 33 pages.				
			Alonso-Lej, M.D., "Adjustable Annuloplasty for Tricuspid Insufficiency," <u>The Annals of Thoracic Surgery</u> , Vol. 46, No. 3, September 1988, 2 pages				
			A. Carpentier et al., "Myocardial Substitution with a Stimulated Skeletal Muscle: First Successful Clincial Case", Letter to the Editor, p. 1267, September 25, 1996.				
			C. David lanuzzo et al.,, "Preservation of the Latissimus Dorsi Muscle During Cardiomyoplasty Surgery", J. Card. Surg., 1996:11:99-108.				
			C. David lanuzzo et al., "Preconditioning of Skeletal Muscle: Application to Dynamic Cardiomyoplasty," Invited Commentary, <u>J. Card. Surg.</u> , 1996:11:109-110.				
			J.C. Chachques et al., "Latissimus Dorsi Dynamic Cardiomyoplasty," <u>Ann. Thorac. Surg.,</u> 1989:47:600-604.				
			L. Moreira et al., "Latissimus Dorsi Cardiomyoplasty in the Treatment of Patients with Dilated Cardiomyopathy," Supplement IV Circulation, September 25, 1996, 7 pgs.				
			C. Lucas et al., "Long-Term Follow-Up (12 to 35 Weeks) After Dynamic Cardiomyoplasty," <u>JACC</u> , Vol. 22, No. 3, September 1993:758-67.				
			R. Batista et al., "Partial Left Ventriculectomy to Improve Left Ventricular Function in End-Stage Heart Disease," <u>J. Card. Surg.</u> , 1996:11:96-98.				
			"Congestive Heart Failure in the United States: A New Epidemic" Data Fact Sheet, National Heart, Lung, and Blood Institute, National Institutes of Health, December 9, 1996, pp. 1-6.				
2			R. Kormos et al., "Experience with Univentricular Support in Mortally III Cardiac Transplant Candidates," Ann. Thorac. Surg., 1990:49:261-71.				

### INFORMATION DISCLOSURE CITATION (Us several sheets if n cessary)

Atty. Docket No.	7528.0003-01	Application No. 09/981,790	
Applicants	Todd J. MORTIER et al.		
Filing Date	October 19, 2001	Group: 3738	

			OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
Ø	JP E JE		R. Wampler et al., "Treatment of Cardiogenic Shock with the Hemopump Left Ventricular Assist Device," Ann. Thorac. Surg., 1991:52:506-13.
ن ما	EB 0 4 2002	FRICE	P. McCarthy et al., "Clinical Experience with the Novacor Ventricular Assist System," <u>J. Thorac.</u> Cardiovasc. Surg., 1991:102-578-87.
104	RADEMIN	7	C. Burnett et al., "Improved Survival After Hemopump Insertion in Patients Experiencing Postcardiotomy Cardiogenic Shock During Cardiopulmonary Bypass," From the Section of Transplantation, Division of Cardiovascular Surgery, Texas Heart Institute and St. Luke's Episcopal Hospital, Houston, Texas, dated even with or prior to January 2, 1997, pp. 626-628.
			S. Phillips et al., "Hemopump Support for the Failing Heart," From the Department of Cardiovascular Medicine and Surgery, Mercy Hospital Medical Center, Des Moines, Iowa, date even with or prior to January 2, 1997, pp. 629-631.
			G. Deeb et al., "Clinical Experience with the Nimbus Pump," From the University of Michigan Medical Center Section of Thoracic Surgery and Division of Cardiology, Ann Arbor, Michigan, date even with or prior to January 2, 1997, pp. 632-636.
			G. Bearnson et al., "Development of a Prototype Magnetically Suspended Rotor Ventricular Assist Device," <u>ASAIO Journal</u> , 1996, pp. 275-280.
			N. Sakakibara et al., "A Muscle Powered Cardiac Assist Device for Right Ventricular Support: Total Assist or Partial Assist?," <u>Trans. Am.Soc. Artif. Intern. Organs</u> , Vol. XXXVI(~1990, pp. 372-375.
			Medtronic, Inc. 1996 Annual Shareholders Report, 79 pages.
			ABIOMED, Inc. Annual Report 1996, 32 pages.
			Press Release dated September 16, 1996, "ABIOMED Wins \$8.5 Million Federal Contract to Qualify its Artificial Heart for Human Trials," 5 pages.
			Press Release dated September 26, 1996, ABIOMED's Temporary Artificial Heart System Reaches 200 U.S. Medical Center Milestone, 1 page.
			Press Release dated May 17, 1996, "ABIOMED Receives FDA Approval to Expand Indications for Use of Cardiac Assist System," 1 page.
			Press Release dated October 3, 1995, "ABIOMED Wins \$4.35 Million Contract from the National Heart, Lung and Blood Institutes to Develop Implantable Heart Booster," 1 page.
			Press Release dated September 29, 1995, "ABIOMED" Wins NIH Grant to Develop Calcification-Resistant Plastic Heart Valve," 1 page.
	5		Press Release dated August 25, 1995, "ABIOMED Wins Research Grant from NIH to Develop Suturing Instrument for Abdominal Surgery," 1 page.
2	9w		Press Release dated August 11, 1995, "ABIOMED Receives Grant from NIH to Develop Disposable Bearingless Centrifugal Blood Pump," 1 page.

### INFORMATION DISCLOSURE CITATION (Use several she ts if n cessary)

Atty. Docket No.	7528.0003-01	Application No.	09/981,790
Applicants	Todd J. MORTIER et al.		
Filing Date	October 19, 2001	Group: 37	738

		_	
			OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
كاللا		-	Press Release dated June 9, 1995, "ABIOMED Receives Grant from National Institutes of Health to Develop a Laser Welding Technique for Tissue Repair," 1 page.
EB 0	2002 33		Press Release dated April 27, 1995, "ABIOMED's Temporary Artificial Heart System Reaches 1,000 Patient Milestone; BVS-5000 in More Than 100 U.S. Medical Centers," 1 page
	\$		"Reversible Cardiomyopathy," Thoratec's Heartbeat, Volume 10.2, August 1996, 2 pages.
PATE	EMA		C. Tsai et al., "Surface Modifying Additives for Improved Device-Blood Compatibility," <u>ASAIO Journal</u> , 1994, pp. 619-624.
			D. Farrar et al., "A New Skeletal Muscle Linear-Pull Energy Convertor as a Power Source for Prosthetic Support Devices," <u>The Journal of Heart &amp; Lung Transplantation</u> , Vol. 11, No. 5, September, 1992, pp. 341-349.
			Brochure entitled "Thoratec Ventricular Assist Device SystemBecause Heart Patients Come in All Sizes," date even with or prior to January 2, 1997, 3 pages.
			Press Release dated October 3, 1994, "Heartmate System Becomes First Implantable Cardiac-Assist Device to be Approved for Commercial Sale in the U.S.," 1 page.
			E. Bocchi et al., "Clinical Outcome after Surgical Remodeling of Left Ventricle in Candidates to Heart Transplantation with Idiopathic Dilated CardiomypathyShort Term Results," date even with or prior to January 2, 1997, 1 page.
		)	Bach et al., "Early Improvement in Congestive Heart Failure after Correction of Secondary Mitral Regurgitation in End-Stage Cardiomyopathy," American Heart Journal, June 1993, pp. 1165-1170.
			Schuler et al., "Temporal Response of Left Ventricular Performance to Mitral Valve Surgery," Vol. 59, No. 6, June 1979, pp. 1218-1231.
			Huikuri, "Effect of Mitral Valve Replacement on Left Ventricular Function in Mitral Regurgitation," Br. Heart J., Vol. 49, 1983, pp. 328-333.
			Pitarys II et al., "Long-Term Effects of Excision of the Mitral Apparatus on Global and Regional Ventricular Function in Humans," <u>JACC</u> , Vol. 15, No. 3, March 1, 1990, pp. 557-563.
			Bolling et al., "Surgery for Acquired Heart Disease/Early Outcome of Mitral Valve Reconstruction in Patients with End-Stage Cardiomyopathy," <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 109, No. 4, April 1995, pp. 676-683.
			Masahiro et al., "Surgery for Acquired Heart Disease/Effects of Preserving Mitral Apparatus on Ventricular Systolic Function in Mitral Valve Operations in Dogs," <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 106, No. 6, December 1993, pp. 1138-1146.
	1		Boyd et al., "Tricuspid Annuloplasty Five and one-half years' experience with 78 patients," <u>The Annals of thoracic Surgery</u> , Vol. 68, No. 3, September 1974, 8 pages.
2	m		Kurlansky et al., "Adjustable Annuloplasty for Tricuspid Insufficiency", Ann. Thorac. Surgery, vol. 44, No. 4, Oct. 1987, 3 pages.

### INFORMATION DISCLOSURE CITATION (Us several sheets if nec ssary)

Atty. Docket No.	7528.0003-01	Application No. 09/981,790
Applicants	Todd J. MORTIER et al.	
Filing Date	October 19, 2001	Group: 3738

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
OFF TO	Edie, M.D., "Surgical repair of single ventricle," The Journal of Thoracic and Cardiovascular Surgery, vol. 66, No. 3, Sep. 1973, pp. 350-360.							
LEB O " SOUT AND	McGoon, M.D. et al., "Correctionof the univentricular heart heaving two atrioventricular valves," The Journal of Thoracic and Cardiovascular Surgery, vol. 74, No. 2, Aug. 1977, pp. 218-226.							
SA TO THE WAY	Lev, M.D. et al., "Single (Primitive) Ventricle," Circulation, vol. 39, My 1969, pp. 577-591.							
144	Westaby with Bosher, "Landmarks in Cardiac Surgery," 1997, pp. 198-199.							
	Shumacker, "Cardiac Aneurysms," The Evolution of Cardiac Surgery, 1992, pp. 159-165.							
	Feldt, M.D., "Current status of the septation procedure for univentricular hearet," The Journal of Thoracic and Cardiovascular Surgery, vol. 82, No. 82, No. 1, July 1981, pp. 93-97.							
	Doty, M.D., "Septation of the univentricular heart," The Journal of Thoracic and Cardiovascular Surgery, vol. 78, No. 3, Sep. 1979, pp. 423-430.							
	Savage, M.D., "Repair of left ventricular aneurysm," The Journal of Thoracic and Cardiovascular surgery, vol. 104, No. 3, Sep. 1992, pp. 752-762.							
y	Cox, "Left Ventricular Aneurysms: Pathophysiologic Observations and Standard Resection," Seminars in Thoracic and Cardiovascular Surgery, vo.l 9, No. 2, Apr. 1997, pp. 113-122.							
gw	Melvin, "Ventricular Radius Reduction Without Resection: A Computational Analysis," ASAIO Journal, 45:160-165, 1999.							

RECEIVED
FEB - 6 2002
TC:3700 MAIL ROOM

#### INFORMATION DISCLOSURE CITATION (Us several sheets if n cessary)

Atty. Docket No.	7528.0003-01	•	Application No.	09/981,790
Applicants	Todd J. MORTIER et al.			
Filing Date	October 19, 2001	-	Group: 3	738

		U.S. PATE	NT DOCUMENTS				
Examiner Initial*	Document Number	Date	Name	Clas	s	Sub Class	Filing Date If Appropriate
600 m	4,690,134	9/1987	Snyders				
DE THE	4,705,040	11/1987	Mueller et al.				
· FEBRUARY	5,104,407	4/1992	Lam et al.				
THATE THATE	5,665,092	9/1997	Mangiardi et al.				
gn	5,755,783	5/1998	Stobie et al.				
gr	5,800,531	9/1998	Cosgrove et al.	ΠŢ			
gr-	5,855,601	1/1999	Bessler et al.				
m	5,928,281	7/1999	Huynh et al.				
m	5,961,440	10/1999	Schweich, Jr. et al.				
n	5,961,549	10/1999	Nguyen et al.				
ou	5,971,910	10/1999	Tsitlik et al.		: .		
Din .	5,971,911	10/1999	Wilk			TC	
en	5,972,022	10/1999	Huxel			370	REC FEB:
Pr_	6,024,756	2/2000	Huebsch et al.			0	CE B-(
Dr.	6,045,497	4/2000	Schweich, Jr. et al.			AIL	EIVED -6 2002
- Pr	6,050,936	4/2000	Schweich, Jr. et al.			RO	.D
9n	6,059,715	5/2000	Schweich, Jr. et al.			3	
m	6,071,303	6/2000	Laufer				
In-	6,077,214	6/2000	Mortier et al.				
In	6,077,218	6/2000	Alferness				
or	6,079,414	6/2000	Roth				
or-	6,102,944	8/2000	Huynh et al.				
Bu	6,117,159	9/2000	Huebsch et al.				
D	6,125,852	10/2000	Stevens et al.				
m	6,126,590	10/2000	Alferness				
gu	6,143,025	11/2000	Stobie et al.				



## INFORMATION DISCLOSURE CITATION (Use s v ral sheets if necessary)

Atty. Docket No.	7528.0003-01	Application No. 09/981,790
Applicants	Todd J. MORTIER et al.	^
Filing Date	October 19, 2001	Group: 3738

	U.S. PATENT DOCUMENTS									
Examiner Initial*		Document Number	Date	Name	Cla	ass	Sı Cla		Filing Da	ate iate
m		6,162,168	12/2000	Schweich, Jr. et al.						
On		6,165,119	12/2000	Schweich, Jr. et al.						
n		6,165,120	12/2000	Schweich, Jr. et al.						
Go E		6,165,121	12/2000	Alferness						
on'		6,165,122	12/2000	Alferness						
PRI TOUR	, Lage	6,182,664	2/2001	Cosgrove						
De.	O. T.	6,197,052	3/2001	Cosgrove et al.						
3 TRADE	3 <sup>3</sup>	6,197,053	3/2001	Cosgrove et al.						
Dr		6,206,820	3/2001	Kazi et al.		ý. :	·	10		
Dri		6,217,610	4/2001	Carpentier et al.				37	RE FR	
92-		6,221,103	4/2001	Melvin				00	CE B-	
Der		6,224,540	5/2001	Lederman et al.				IAN	y 9	
Dr		6,238,334	5/2001	Easterbrook, III et al.				L Ru	100 E	
Dr		6,245,105	6/2001	Nguyen et al.				UM		
De		6,258,021	7/2001	Wilk						
en		6,269,819	8/2001	Oz et al.						
Dr.		6,283,993	9/2001	Cosgrove et al.						

		PUBLISHED PA	TENT APPLICATI	ONS		
	Document Number	Date	Name	Class	Sub Class	Translati n Yes or No
Der	2001/0003986 A1	6/2001	Cosgrove			

	FOREIGN PA	TENT DOCUMENT	s		
D cument Numb r	Dat	C untry	Class	Sub Class	Translation Yes r No
DE 296 19 294	8/1997	Germany			



#### INFORMATION DISCLOSURE CITATION (Use s veral sheets if n c ssary)

Atty. Docket No.	7528.0003-01	Application No	. 09/981,790
Applicants	Todd J. MORTIER et al.		
Filing Date	October 19, 2001	Group:	3738

	Document Number	Date	Country	Class	Sub Class	Translation Yes or N
On	97/24082	7/1997	wo			
92	97/24083	7/1997	wo			
FEX.	98/14136	4/1998	wo			0
on 3	99/11201	3/1999	wo			REC FEB
SE TOOL SE	99/00059	1/1999	wo			B-6
TRADEWART	OTHER DOCUME	NTS (Including A	Author, Title, Date,	Pertinent F	Pages, Etc.	F 8 m
	acorn_cardiovascu	lar, inc., "Acom (	Cardiovascular Sum	mary", unda	ited, one	page
-	acorn cardiovascu	lar,-in <del>c., "</del> Acorn-(	eardiovascular Com	pany <sup>-</sup> Overv	iew" <del>, u</del> ndat	ed two pages
n	Batista, MD et al., Surg., 64:634-8, 1		triculectomy to Trea	t End-Stage	Heart Dise	ease", <u>Ann. Thorac.</u>
	Melvin DB, "Ventri		duction Without Res	ection A Co	mputationa	l-Assessment",
	Melvin DB et al., "I undated , I page		tricular Wall Tensile	Stress by (	3eometric F	Remodeling-Device
m	Kay et al., "Surgica 620, 1955.	al Treatment of M	/litral Insufficiency",	The Journal	of Thoracio	Surgery, 29: 618-
Du-	Harken et al., "The 28:604-627, 1954.		tion of Mitral Insuffic	ciency", <u>The</u>	Journal of	Thoracic Surgery,
92	Bailey et al., "Clos	ed Intracardiac T	actile Surgery", Disc	eases of the	Chest, XX	II:1-24, 7/1952.
91	Sakakibara, "A Su 142:196-203, 1955		to the Correction of	Mitral Insuff	iciency", <u>An</u>	nals of Surgery,
ge-			ent of Mitral Insufficion Annals of Surgery, 1			scularized
gn !	Kay et al., "Surgica	al Treatment of N	/litral Insufficiency",	Surgery, 37	:697-706, 5	/1955.
pu	Bailey et al."The S Journal of Thoraci		on of Mitral Insufficie 1-603, 12/1954.	ncy By The	Use of Peri	cardial Grafts", The



#### INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)

Atty. Docket No.	7528.0003-01	Application No. 09/981,790
Applicants	Todd J. MORTIER et al.	
Filing Date	October 19, 2001	Group: 3738

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
ge_	Shumacker, Jr., "Attempts to Control Mitral Regurgitation", <u>The Evolution of Cardiac Surgery</u> , 203-210, 1992.

Examiner ///

Date Considered /-31-03

\*Examiner:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Form PTO 1449** 

Patent and Trademark Office - U.S. Department of Commerce

269794\_1



FEB -6 2002 TC 3700 MAIL ROOM